



## Council Communication

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** EDGAR MEDINA, P.E. ASSISTANT TOWN ENGINEER, (480) 503-6754

**THROUGH:** MICHAEL GILLESPIE, P.E., TOWN ENGINEER  
GREG TILQUE, DEVELOPMENT SERVICES DIRECTOR  
MARC SKOCYPEC, ASSISTANT TOWN MANAGER

**MEETING DATE:** APRIL 19, 2012

**SUBJECT:** APPROVAL OF RESOLUTION AUTHORIZING ACQUISITION OF  
REAL PROPERTY FOR FIRE STATION NO. 7, CIP PROJECT NO.  
MF217.

**STRATEGIC INITIATIVE:** Community Livability

This resolution is in line with Gilbert's strategic initiative for Community Livability as it expands and improves the Fire Protection capabilities to meet the needs of Gilbert's citizens.

**LEGAL REVIEW**

☒ Complete

☐ N/A

**FINANCIAL REVIEW**

☒ Complete

☐ N/A

### RECOMMENDED MOTION

**A MOTION TO APPROVE THE RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR FIRE STATION NO. 7, CIP PROJECT NO. MF217 AND AUTHORIZE THE MAYOR TO EXECUTE THE REQUIRED DOCUMENTS.**

### BACKGROUND/DISCUSSION

Town Council approved the 2011-16 Capital Improvement Program, (CIP) which called for acquisition, design and construction of improvements of Fire Station No. 7 located at the southwest corner of Warner Road and 130<sup>th</sup> Street.

In May 2009, upon a presentation by Fire Chief DeWitt, the Town Council authorized staff to proceed with the acquisition of real property for Fire Station No. 7.

As reference, Fire Station No. 7 is presently located at 215 North Cooper Road, on the east side of Cooper, between Elliot and the Western Canal. It is a two bay, single company station built as Fire Station No. 1 when it was dedicated in 1994 to provide the west side of Gilbert improved fire and emergency response time. The location for Fire Station No. 7 was identified by Rural/Metro during their tenure as the contract fire protection provider. The following is a summary of the analysis provided in 2009.

## Staff Analysis

### Response Planning

Data plotted in 2008 by the Fireview software indicated that service to the far western portion of the community; in particular the Islands Development and further south along Cooper Road could never achieve a four minute response standard with the present locations.

Fire Department Personnel prepared response area maps from the Fireview software to visually demonstrate the problem.

The map showed the existing conditions for responses given the current location for Fire Station No. 7 and Fire Station No. 4 located on Ray Road. There were gap in areas to the southwest, primarily in the Islands subdivision, as well as areas generally between Elliot and Warner along Gilbert Road that are in five to eight minute response zone.

A map was developed to show the response coverage after Fire Station No. 10 is built, with a relocated Fire Station No. 7 to Cooper and Warner area, and Fire Station No. 4 location. The five to eight minute response zones are removed with the three stations including a relocated Station No. 7.

The Fire Department no longer utilizes Fireview software due to budget reductions, however the response time conditions that were present in 2008 still exist today.

### Site Options

The challenge then became finding a property with arterial frontage for immediate access within the Cooper and Warner area which accommodate at least a three bay, two company fire station.

There were only two vacant land sites in the area, one being 36,000 square feet on Cooper, south of Warner, the second a larger parcel with limited frontage on Warner at the corner of Warner and 130<sup>th</sup> Street.

The 36,000 square foot lot just south of Fry's and adjacent to a daycare does not have sufficient area to construct a station.

Staff met with HDA Architects who are familiar with our facility requirements to see if the limited frontage at Warner and 130<sup>th</sup> Street corner site was feasible. HDA was successful in preparing a preliminary site plan that would meet the Fire Station needs.

### Timing

Upon the 2009 Council authorization, the acquisition has been pending due to the completion of Fire Station No. 10 on Guadalupe Road.

The Resolution was reviewed for form by Attorney Susan Goodwin.

**FINANCIAL IMPACT**

This project is included in the 2011-16 CIP as Project No. MF217 and is funded by General Fund and Fire System Development Fees. The current land budget is \$600,000.

The financial impact was reviewed by Budget Administrator, Dawn Irvine.

**STAFF RECOMMENDATION**

Staff has reviewed the required acquisition and recommends approval of this resolution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edgar Medina', written over a horizontal line.

Edgar Medina, P.E.  
Assistant Town Engineer  
edgar.medina@gilbertaz.gov

Attachments and Enclosures: Resolution  
Legal Descriptions and Exhibits

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWN FOR FIRE PROTECTION PURPOSES, RELATING TO FIRE STATION NO. 7, CIP PROJECT NO. MF217, AUTHORIZING AND DIRECTING THE MAYOR, TOWN MANAGER AND TOWN ATTORNEY TO ACQUIRE TITLE TO CERTAIN PARCELS OF REAL PROPERTY ON BEHALF OF THE TOWN BY DONATION, EMINENT DOMAIN OR PURCHASE FOR AN AMOUNT NOT TO EXCEED FAIR MARKET VALUE OF THE PROPERTY, PLUS ACQUISITION AND CLOSING COSTS.

WHEREAS, the continued growth and development of the Town of Gilbert requires the acquisition of certain real property, described in Exhibits A attached hereto and made a part hereof; and

WHEREAS, the Common Council of the Town of Gilbert finds that acquisition of the property described is necessary for public Fire Protection purposes, and it is in the public interest to acquire such property, and

WHEREAS, the Common Council of the Town of Gilbert has considered alternatives available to it, has balanced the public good and the private injury resulting from the acquisition of the property, and has determined that locating the public improvements on the property results in the greatest public good and the least private injury.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA:

That the Mayor, Town Manager and Town Attorney are hereby authorized and directed to acquire title to and possession of the real property described in Exhibit A by donation, eminent domain or purchase for an amount not to exceed fair market value, plus acquisition and closing costs; and

BE IT FURTHER RESOLVED, that the Mayor, Town Manager and Town Attorney are authorized to perform all acts necessary to acquire said property for the purposes described in this resolution on behalf of the Town.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF  
GILBERT, ARIZONA THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

EXCUSED: \_\_\_\_\_ ABSTAINED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_, Mayor

ATTEST:

\_\_\_\_\_  
Catherine Templeton, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.  
Town Attorneys  
By: Susan D. Goodwin

## EXHIBIT "A"

### OVERALL BOUNDARY

THAT PORTION OF LOT 3 OF COOPER II, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY ARIZONA, RECORDED IN BOOK 589, PAGE 14, LOCATED IN SECTION 24, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, BEING MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24, BEING MARKED BY A BRASS CAP FLUSH, BEARS SOUTH 00 DEGREES 07 MINUTES 36 SECONDS WEST, 1320.38 FEET;

THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 24 SOUTH 00 DEGREES 07 MINUTES 36 SECONDS WEST, 390.14 FEET;

THENCE DEPARTING SAID EAST LINE NORTH 89 DEGREES 52 MINUTES 24 SECONDS WEST, 25.01 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89 DEGREES 47 MINUTES 38 SECONDS WEST, 204.78 FEET;

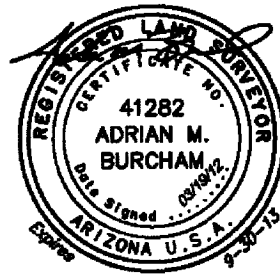
THENCE NORTH 00 DEGREES 12 MINUTES 22 SECONDS WEST, 243.99 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WARNER ROAD;

THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH 89 DEGREES 47 MINUTES 38 SECONDS EAST, 191.20 FEET;

THENCE SOUTH 45 DEGREES 02 MINUTES 23 SECONDS EAST, 13.39 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 130<sup>TH</sup> STREET;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE AND CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE SOUTH 00 DEGREES 07 MINUTES 36 SECONDS WEST, 229.00 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 50,025 SQUARE FEET, OR 1.1484 ACRES, MORE OR LESS.



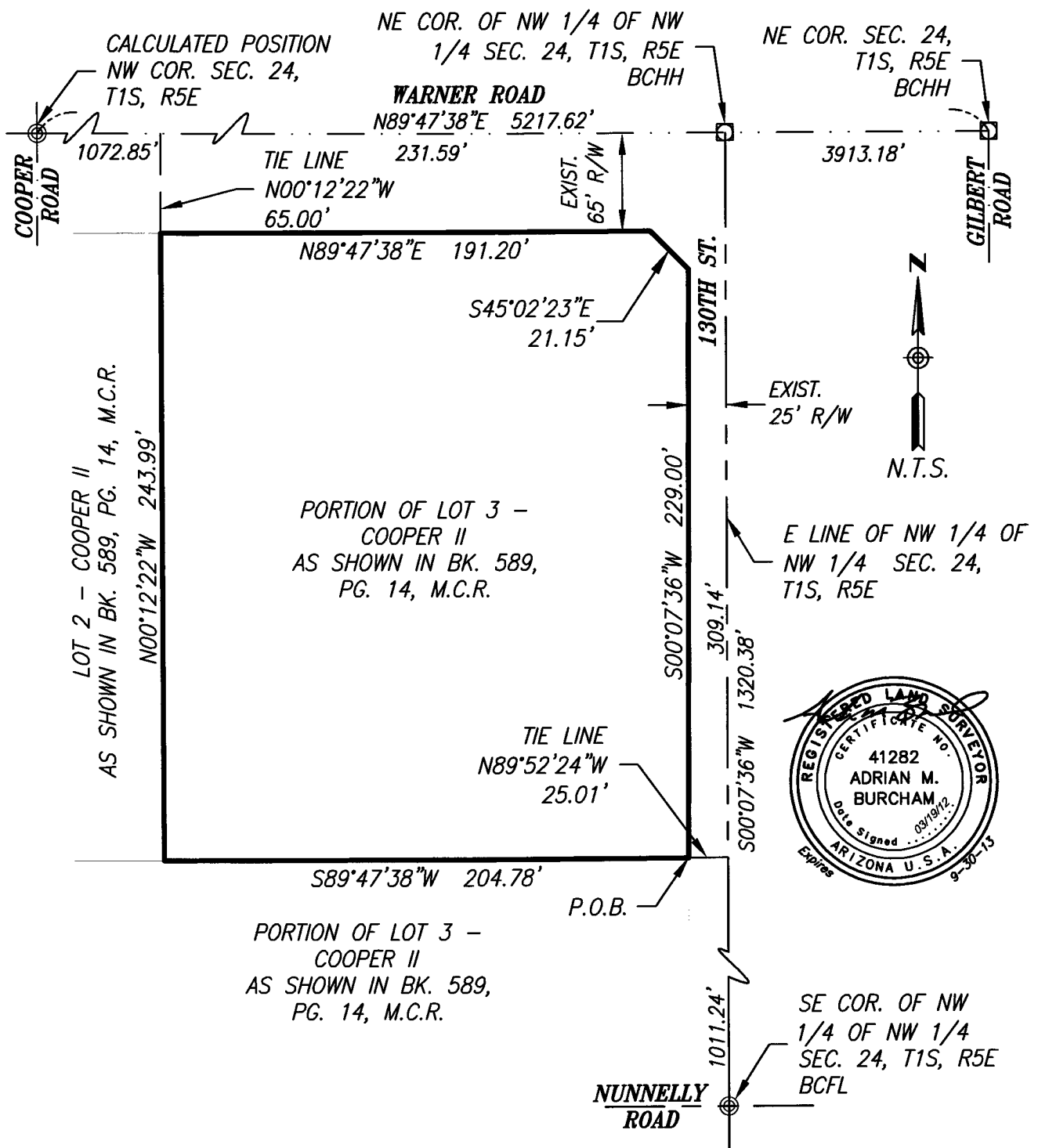


EXHIBIT "A"  
PORTION OF LOT 3 OF "COOPER II"  
Town of Gilbert, Maricopa County, Arizona

Project No.  
12100 TASK 4

Date  
03/19/12

**Project Manager**  
**AARON MICHALENKO**

Project Eng.

*Sht: 1 of 1*